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IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

:

UNITED STATE OF AMERICA, ex rel

Case No. 1:00cv00463

ANDREW M. GARNER, III,

(Judge S. Arthur Spiegel)

Plaintiffs,

UNOPPOSED MOTION TO EXTEND

ANTHEM INSURANCE COMPANIES,

VS.

INC.'S DEADLINE TO ANSWER OR FILE OTHER RESPONSIVE PLEADIN

ANTHEM INSURANCE

UNTIL DECEMBER 15, 2005

COMPANIES, INC., et al.,

Defendants.

Although the Complaint in the above-captioned litigation was filed on June 12, 2000, the matter was under seal until this Court's order of June 9, 2005 (Doc. #50). On August 8, 2005 the United States of America filed a Notice of Voluntary Dismissal concerning this matter (Doc. #55). The Relator has filed an objection to that Notice (Doc. # 57), and the Court has not yet ruled on whether the matter should be dismissed. Counsel for Defendant Anthem Insurance Companies, Inc. ("AICI") has accepted service of the unsealed complaint, but several of the Defendant Corporation are no longer operative or owned by AICI or its affiliates.

On September 15, 2005 this Court held a status conference and subsequently issued an order establishing a 60-day discovery period for issues relating to Defendant Anthem's Prescription Management Program and to the Relator's retaliation claim (Doc. #58). The Court requested the parties to continue settlement discussions.

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